

REMARKS

This application has been amended in a manner that is believed to place it in condition for allowance at the time of the next Official Action.

Claims 1-4 and 10 are pending in the present application. In the interest of advancing prosecution, claims 5-9 and 11-24 have been canceled without prejudice and may be the subject of a future application.

In the outstanding Official Action, claims 2, 23, and 24 were objected to for containing the recitation "the 681st to 726th amino acid residues of SEQ ID NO:2". It is believed that the present amendment obviates this objection.

This recitation was inadvertently placed in the claim. In order to more particularly point out and distinctly claim the present invention, this recitation has been deleted from the claim. Thus, it is believed that claim 2 is now in condition for allowance. Claims 23 and 24 have been canceled.

The outstanding Official Action also objected to claims 11, 12, 23, and 24. The outstanding Official Action objected to the syntax set forth in the claims. However, claims 11, 12, 23, and 24 have been canceled. Thus, it is believed that this objection has been rendered moot.

In the outstanding Official Action, claims 11, 12, 23, and 24 were rejected under 35 USC §101 for allegedly not being

supported by a specific, substantial, and credible asserted utility. Claims 11, 12, 23, and 24 have been canceled. It is believed that the present amendment obviates this rejection.

Claims 5-9, 11, 12, 23, and 24 were rejected under 35 USC §112, first paragraph, for allegedly being based on a non-enabling disclosure.

As noted above, claims 5-9, 11, 12, 23, and 24 have been canceled. Thus, it is believed that the present amendment obviates this rejection.

In the outstanding Official Action, claims 5-9 were rejected under 35 USC §112, first paragraph, for allegedly being based on an insufficient written description.

As claims 5-9 have been canceled, applicants believe that this rejection has been rendered moot.

Claims 11, 12, 23, and 24 were rejected under 35 USC §112, second paragraph, for allegedly failing to particularly point out and distinctly claim the present invention.

As claims 11, 12, 23, and 24 have been canceled, it is believed that this rejection has been obviated.

In the outstanding Official Action, claims 5 and 7 were rejected under 35 USC §102(b) as allegedly being anticipated by LAMERDIN et al. Claim 6 was rejected under 35 USC §102(b) as allegedly being anticipated by PARTANEN et al. Claims 8-10 were then rejected under 35 USC §103(a) as allegedly being

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unpatentable over ALVAREZ et al. in view of SIBSON et al. Claims 8 and 9 were then further rejected under 35 USC §103(a) as allegedly being unpatentable over LAMERDIN et al. or PARTANEN et al. each in view of SIBSON et al. It is believed that the present amendment obviates these rejections.

By way of the present amendment, claims 5-9 and 11-24 have been canceled. It is believed that the rejections have been removed.

In view of the present amendment and the foregoing remarks, therefore, it is believed that this application is now in condition for allowance, with claims 1-4 and 10, as presented. Allowance and passage to issue on that basis are accordingly respectfully requested.

Respectfully submitted,

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